

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTSCASE NO. CR05-30042United States of AmericaPLAINTIFFAndrew LellingSharon KearneyRicardo DiazCesar CruzDEFENDANTTerry NagelJoseph FrancoCOUNSEL FOR PLAINTIFFCOUNSEL FOR DEFENDANTJUDGE WolfCLERK O'LearyREPORTER RomanowCLERK'S NOTES

DATES:	Pretrial Conference
8/9/06	Neither defendant appears in court. Cruz was previously excused by the court. Diaz was not able to appear
	due to car problems. Court informs counsel for Diaz that if he fails to appear again he runs the risk of
	having his release revoked. Government presses his motion to continue to September 25, 2006. Attorney
	Franco objects as he has a civil commitment case in Hampden Superior Court. Court schedules the trial for
	September 18, 2005. Court denies the defendants' request for written voir dire to the jury pool. Court
	reissues the sequestration order and directs the clerk to enter both orders as one was previously issued in
	April but not docketed. Court orders defendants to file any objection to government lead agent being in
	courtroom by 8/31/2006. Government shall respond by 9/8/06. Court allows defense counsels' motion for
	funds for hotel while on trial. Stipulations shall be filed by 9/8/06. Defendants do not anticipate any exhibits
	except for some from Probate Court. Court allows government's motion in limine (docket no 66). Defendants
	do not object to the use of transcripts of recorded conversations. Court orders the parties to work together to
	get the transcripts. Any objections should be filed by 9/8/06. Parties shall also report whether the use of
	readers of the transcripts is agreeable to all parties. Court orders the parties to confer and report regarding
	stipulations and redactions regarding calls to the jail house by 9/8/06 as well. Court orders the government
	to supplement the briefing with regard to admissibility concerning motion docket no 64 by 9/8/06. All
	documents related to the motion must be turned over to the defendants by 8/16/06. Defense counsel advises
	that they will have exhibits regarding the record of a government witness. Court orders the defendants to
	produce the documents by 8/16/06. Court denies the motion for bill of particulars (docket no 88). Court
	directs defense counsel to work with the clerk to fashion a subpoena Rios file for an in camera review by
	the court to be produced by 8/31/06. Court does not exclude references to the Latin Kings generally.

[illegible]